

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on November 25, 2003, the following members were present:

Bob Rowe, Chairman
Thomas J. Schneider, Vice Chairman
Matt Brainard, Commissioner
Greg Jergeson, Commissioner
Jay Stovall, Commissioner

APPEARANCE

Leroy Beeby
Utility Division

(224) In the matter of AT&T Communications - N2003.11.159: On November 6, 2003, AT&T Communications filed Tariff Transmittal 2003-21, requesting to grandfather in the AT&T Simplified Plan and Revise the time period description for the AT&T Unlimited Sundays Plan. AT&T is requesting a December 6, 2003 effective date

Commissioner Stovall moved to approve AT&T's request. Commissioner Schneider seconded the motion, which passed 5-0.

APPEARANCE

Wayne Budt, Administrator
Transportation/Centralized Services Division

(225) In the matter of T-03.51.OTSC - On October 3, 2003 a certified letter was sent to Margaret Stiger dba Northern Lights Limousine Service, Bigfork, Montana, PSC No. 9424, advising that there was a lapse in insurance coverage and instructing her to file an affidavit of no accidents or operations. This certified letter was received by the carrier on October 6, 2003. There was no response. An Order to Show Cause was issued on November 7, 2003 and received by the carrier on November 12, 2003 with no response.

Commissioner Schneider moved to cancel PSC Certificate No. 9424. Commissioner Brainard seconded the motion, which passed 5-0.

(226) In the matter of TN2201 - All Valley Cab, Inc. Belgrade, Montana requests permission to lease PSC No. 2278 to David D. and Marla J. Francis dba All Valley Cab, Belgrade, Montana for a six (6) month period, November 25, 2003 to May 25, 2004, pending completion of a sale and transfer proceeding.

Commissioner Brainard moved to approve the lease for PSC No. 2278 for a six month period. Commissioner Stovall seconded the motion, which passed 5-0.

(227) TN2202 - Greyhound Lines, Inc., Dallas, Texas requests permission to continue to self insure for liability purposes for the period October 1, 2003 to October 1, 2004. Financial documents support their request.

Commissioner Schneider moved to approve the request. Commissioner Brainard seconded the motion, which passed 5-0.

(228) In the matter of the approval of Commission Minutes: Commissioner Stovall moved to approve the Commission Minutes for the week of November 17, 2003. Commissioner Jergeson seconded the motion, which passed 5-0.

APPEARANCE

Monica Tranel

Legal Division

(229) In the matter of the Commission's discussion of MPSC Triennial Review - Docket No. D2003.5.62:

Commissioner Schneider moved to accept limited participation by OneEighty and waives OneEighty's obligation to answer discovery requests. Commissioner Brainard seconded the motion, which passed 5-0.

Commissioner Brainard moved to issue protective order in Docket No. D2003.5.62. Commissioner Stovall seconded the motion, which passed 5-0.

(230) In the matter of the Commission's discussion of QLD Tariff Transmittal - Docket No. D2002.12.153:

Commissioner Schneider moved to sustain Qwest's objection to allowing the Greer testimony and strike from the records any testimony filed in previous dockets and overrule objections as to other issues. Commissioner Jergeson seconded the motion, which passed 5-0.

Commissioner Stovall moved to deny the QLD motion for reconsideration as moot and authorize staff to withdraw discovery requests 49a, b and c, and 51a. Commissioner Brainard seconded the motion, which passed 5-0.

APPEARANCE

Mike Lee

(231) In the matter of the Qwest QCC Tariff - Docket No. D2003.10.153:

Commissioner Brainard moved to deny QCC's request for interim relief. Commissioner Jergeson seconded the motion, which passed 3-2. Commissioner Rowe and Commissioner Stovall

dissented.

(232) In the matter of NWE Application for approval of changes to QF-1 tariff schedule - Docket No. D2002.6.63:

Commissioner Schneider moved to direct staff to draft an order adopting the interim rates as final and closing Docket D2002.6.63. Commissioner Stovall seconded the motion, which passed 5-0.

(233) In the matter of NWE Bankruptcy - Placeholder to get direction on any matter related to the NWE bankruptcy:

Commissioner Rowe moved to direct staff to file an objection to preserve the Commission's ability to review amounts in a subsequent requirement case and direct staff to file in bankruptcy court an objection to preserve the Commission's ability to review CEO compensation packages and any subsequent compensation case and review with outside counsel. Commissioner Jergeson seconded the motion. Commissioner Schneider moved to include in the motion the option that negotiations occur and the objections be reflected in a potential motion being transmitted by debtors to the court if they are resolved. The motion passed 5-0.

There being no further business to come before the Commission the meeting was adjourned.

BOB ROWE, Chairman

THOMAS J. SCHNEIDER, Vice Chairman

MATT BRAINARD, Commissioner

GREG JERGESON, Commissioner

JAY STOVALL, Commissioner

ATTEST:

Connie Jones
Commission Secretary

(SEAL)